

## REQUEST FORM FOR APPLICATION UNDER 37 CFR 1.53(b)

DOCKET Prior App	NUMBER: 51	023-019							
	Art Unit:	2631							
1	Examiner:	Phu, Phuong M.							
Commiss P.O. Box									
Sir:									
This is a Request for filing a Divisional application under 37 CFR 1.53(b) of pending prior application									
Serial No. 09/622,216, filed on August 15, 2000, entitled ROADWAY COMMUNICATION SYSTEM, by the									
following named inventors: Akihiro KAMEMURA, Tadashi ARAKI and Noriyuki HIRAKATA.									
1. 🛛	I hereby state that the enclosed application contains no new matter.								
2.	Oath or Declar a.  b.  i.	Newly executed (original or copy)  Copy from a prior application (37 CFR 1.63(d))  Deletion of inventor(s)  Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).							
		It is requested that inventors Mr. Kenji KUTSUKI and Mr. Keiji TANAKA be deleted as named inventors of this application as they are not inventors of subject of claims 25-30 in this application.							
3. 🛚	Incorporation By Reference (useable if Box 2b is checked)  The entire disclosure of the prior application, from which a copy of the oath or declaration is supplie under Box 2b, is considered as being part of the disclosure of the accompanying application and is h incorporated by reference therein.								
4.	Preliminary Am	nendment is enclosed.							

An Information Disclosure Statement and PTO1449 Form are submitted herewith.

Cancel claims 1-24 & 31-33.

5. 🛛

6.

7. The filing fee is calculated on the basis of the claims existing in the prior application as amended at 4 and 6 above:

		NO. OF CLAIMS		EXTRA CLAIMS	RATE	AMOUNT		
Total Claims  Independent Claims		7 2	-20	0	\$18.00 = \$86.00 =	\$0.00		
								Basic Application Fee  If multiple dependent claims are presented, add \$290.00
	Total Application Fee							
		\$0.00						
	\$1,060.00							
AMOUNT TO BE CHARGED TO DEPOSIT ACCOUNT NO. 500417								
7a. 🗌 7b. 🗌	Enclosed is a Verified Statement to establish small entity status under 37 CFR 1.9 and 37 CFR 1.27.  A verified Statement to establish small entity status under 37 CFR 1.9 and 37 CFR 1.27 was filed in prior application and such status is still proper and desired.							
Ba. 🛛	PLEASE CHARGE DEPOSIT ACCOUNT 500417 in the amount of \$1,060.00							
8b. 🛚	The Commissioner is hereby authorized to charge fees under 37 CFR 1.16 and 1.17 which may be required, including any extension of time fees to maintain the pendency of the parent application Seria No. <u>09/622,216</u> or credit any overpayment to Deposit Account No. 500417.							
9. 🛛	Amend the specification by inserting before the first line the sentence:							
a 371 of <u>PC</u>	This application i CT/JP99/04314, filed	s a divisional of August 9, 1999.	Application S	erial No. <u>09/622</u>	2,216 filed August	15, 2000, which i		
10. 🛚	Priority of Application Serial Nos. <u>10-367763</u> , <u>10-367764</u> & <u>10-367765</u> filed on <u>December 24</u> , <u>1998</u> , in <u>Japan</u> is claimed under 35 USC 119.							
11. 🛛	1.   The prior application is assigned of record to							
		SUMITOMO :	ELECTRIC I Osaka, Jap		LTD.			
12. 🛛								
		Mc	Dermott, Will	& Emery				
13. 🔲	Also enclosed:	•						

DOCKET NUMBER: 51023-019

14. A petition, fee and response has been filed to extend the term in the pending prior application until.

Address all future communications to: (May only be completed by applicant, or attorney or agent of record)

McDermott, Will & Emery 600 13th Street, N.W. Washington, DC 20005-3096

Respectfully submitted,

MCDERMOTT, WILL & EMERY

Stephen A. Becker

Registration No. 26,527

600 13<sup>th</sup> Street, N.W. Washington, DC 20005-3096 (202) 756-8000 SAB:prg

Facsimile: (202) 756-8087 **Date: March 30, 2004**